

COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA

April 22, 1998

Planning Retreat

MINUTES

The Board of Education and the Board of Vocational Education met for its planning retreat in the Loudoun Room at the Holiday Inn/Historic Carradoc Hall in Leesburg, Virginia, on Wednesday, April 22, 1998, with the following members present:

Mr. Kirk Schroder, President
Senator J. Brandon Bell, Vice President
Mrs. Jennifer C. Byler
Mr. Mark C. Christie
Mrs. Kay Coles James

Mrs. Susan Noble
Mr. Robert H. Patterson, Jr.
Senator John W. Russell
Mrs. Lil Tuttle

and

Mr. Paul D. Stapleton, Secretary
Superintendent of Public Instruction

Mr. Schroder, president, presided and called the meeting to order at 2:30 p.m.

INTRODUCTION OF NEW BOARD MEMBER

Mr. Schroder introduced a new board member, Mrs. Susan Noble. Mrs. Noble is a teacher in Henrico County.

INVOCATION AND PLEDGE OF ALLEGIANCE

Senator Russell gave the invocation and led in the Pledge of Allegiance.

APPROVAL OF MINUTES

Mrs. Tuttle said she would like the comments she made during the discussion on graduation requirements added to the March 26 minutes. Senator Russell made a motion for approval of the minutes of the March 26 meeting to be adopted as amended. The motion was seconded by Mrs. James and carried unanimously.

APPROVAL OF AGENDA

The motion was made by Mr. Patterson, seconded by Mrs. Byler, and carried unanimously for approval of the agenda.

CONSENT AGENDA

Mrs. Byler made a motion to adopt the following items on the consent agenda. Mrs. James seconded the motion and carried unanimously.

- P Final Review of Recommendations Concerning Applications for Literary Fund Loans
- P Final Review of Recommendations Concerning Release of Literary Fund Loans for Placement on Waiting List
- P Final Review of Financial Report on Literary Loan Fund
- P Review of Proposal to Create a Licensure Endorsement Area in American Sign Language
- P Final Review of a Request to Promulgate Revised Standards for Approved Teacher Preparation Programs in Virginia

Final Review of Recommendations Concerning Applications For Literary Fund Loans

The Department of Education's recommendation for approval of twelve new applications in the amount of \$21,750,000 and two supplemental applications in the amount of \$655,000 subject to final approval by the Office of the Attorney General, was accepted by the Board of Education's vote on the consent agenda.

COUNTY, CITY, TOWN	SCHOOL	AMOUNT
Nottoway County	Burkeville Elementary	368,560.00
Nottoway County	Blackstone Primary	286,440.00
Augusta County	North River Elementary	5,000,000.00
Augusta County	Craigsville Elementary	4,250,000.00
Augusta County	Stuarts Draft Elementary	5,000,000.00
Prince William County	New Middle County Middle	5,000,000.00
Giles County	Narrows Elementary/Middle	1,000,000.00

Patrick County	Blue Ridge Elementary	121,000.00
Patrick County	Hardin Reynolds Elementary	242,000.00
Patrick County	Meadows of Dan Elementary	178,000.00
Patrick County	Patrick Spring Elementary	262,000.00
Patrick County	Patrick County High	109,000.00
Patrick County	Stuart Elementary	343,000.00
Patrick County	Woolwin Elementary	245,000.00
	TOTAL	\$22,405,000.00

Final Review of Recommendations Concerning Release of Literary Fund Loans for Placement on Waiting List

The Department of Education's recommendation is that funds be released for two projects in the amount of \$6,800,000. It is also recommended that funding for twelve projects in the amount of \$21,750,000 be deferred and the projects be placed on the First Priority Waiting List.

COUNTY, CITY, TOWN	SCHOOL	AMOUNT
Botetourt County	Lord Botetourt High	5,000,000.00
Essex County	Essex Intermediate	1,800,000.00
	TOTAL	\$6,800,000.00

First Priority Waiting List

COUNTY, CITY, TOWN	SCHOOL	AMOUNT
Augusta County	North River Elementary	5,000,000.00
Augusta County	Craigsville Elementary	4,250,000.00
Augusta County	Stuarts Draft Elementary	5,000,000.00
Prince William County	New Middle County Middle	5,000,000.00
Giles County	Narrows Elementary Middle	1,000,000.00

Patrick County	Blue Ridge Elementary	121,000.00
Patrick County	Hardin Reynolds Elementary	242,000.00
Patrick County	Meadows of Dan Elementary	178,000.00
Patrick County	Patrick Spring Elementary	262,000.00
Patrick County	Patrick County High	109,000.00
Patrick County	Stuart Elementary	343,000.00
Patrick County	Woolwin Elementary	245,000.00
	TOTAL	\$21,750,000.00

Final Review of Financial Report on Literary Loan Fund

The Department of Education's recommendation for approval of the financial report on the status of the Literary Fund as of February 28, 1998, was accepted by the Board of Education's vote on the consent agenda.

Review of Proposal to Create a Licensure Endorsement Area in American Sign Language

The Department of Education's recommendation to waive first review and authorize the Department to begin the regulatory revision procedures as specified in Virginia's Administrative Process Act (APA) by submitting necessary Pre-NOIRA (Notice of Intended Regulatory Action) documents to the Office of the Secretary of Education and the Department of Planning and Budget and to authorize forwarding the NOIRA to the Virginia Registrar of Regulations, was accepted by the Board of Education's vote on the consent agenda.

Final Review of a Request to Promulgate Revised Standards for Approved Teacher Preparation Programs in Virginia

The Department of Education's recommendation to waive first review and authorize the Department to begin the regulatory procedures as specified in the Virginia Administrative Process Act (APA) by submitting necessary Pre-NOIRA (Pre-Notice of Intended Regulatory Action) documents to the Office of the Secretary of Education and the Department of Planning and Budget, was accepted by the Board of Education's vote on the consent agenda.

INTRODUCTION AND RECOGNITION

Mr. Schroder introduced Mr. Paul D. Stapleton, Superintendent of Public Instruction, to the Board of Education members. On March 30, 1998, Mr. Stapleton was appointed to the position of Superintendent of Public Instruction by Governor Gilmore.

GREETINGS

Dr. Edgar Hatrick, III, Superintendent of Loudoun County Public Schools welcomed the Board of Education to Loudoun County. Dr. Hatrick said this was the first time the Board of Education meeting has been held in Loudoun County. He invited the Board members and Department of Education staff to visit Farmwell Station Middle School.

PUBLIC COMMENT

The following persons spoke during the public comment period:

Patty Taylor
Nancy Shelton
Quentin Wilhelmi
Justine Maloney

DISCUSSION OF CURRENT ISSUES

Mrs. Tuttle brought to the board's attention articles that appeared in *Appalachia Education Laboratory* and *Harvard School of Government Paper*. The article in *Appalachia Education Laboratory* is on alternative schools and alternative education. The *Harvard School of Government Paper* is a study done on the impact of academic courses and whether tough courses make a difference in students and whether the selection of courses has an impact on student achievement.

Review of Requests for Waivers of Pre-Labor Day Opening Requirements

Mr. Schroder abstained from this issue because his law firm has provided legal counsel to the Virginia Hospitality and Travel Association. Mr. Christie and Mr. Patterson abstained for similar reasons. Mr. Schroder passed the gavel to Senator Bell, and Senator Bell presided on this issue.

The Superintendent's recommendation is that the Board receive the requests for another good cause waivers and defer action until such time as the Governor has taken action on the legislation described herein.

Diane Atkinson discussed with board members the three good cause situations that may justify a waiver of the requirement that the first day of school follow Labor Day.

After a lengthy discussion with Joan Murphy from the Attorney General's Office, Senator Russell made a motion to approve Prince Edward County's request for a waiver because the program has received Department of Education approval for the past three years. (The previous approval was because the program was considered innovative and experimental.) The motion was seconded by Mrs. Tuttle and carried unanimously.

Senator Russell amended his previous motion to also approve the innovative program at Timber Lane Elementary School in Fairfax County. The motion was seconded by Mrs. Byler and carried unanimously.

Discussion of Guidelines Being Developed for Board Approval of Additional Graduation Requirements by Localities

Mr. Christie made a motion to reconsider the minutes of the March 26 meeting because he thought Frederick County was left out of a motion that was made during the meeting. The motion was seconded by Mr. Patterson and carried unanimously.

Mr. Christie made a motion to again approve the request from Winchester City Public Schools, Halifax County Public Schools, and Frederick County Public Schools to add one additional history credit coming out of the electives so there is no net increase in the Standard Diploma credits. The motion was seconded by Mr. Patterson.

Mrs. Tuttle suggested that the Board's secretary go back and listen to the tapes from the March 26 meeting to see if Frederick County was included in the original motion made by Mr. Christie.

Mr. Christie made a substitute motion to approve the request from Frederick County to add one additional history credit out of their electives. The motion was seconded by Senator Russell. By a show of hands, six board members voted yes, one abstained, and one voted no. Mrs. Tuttle said her no vote was not against Frederick County, but she feels that graduation requirements should not be changed until we know how students will perform on

tests later this year.

Mrs. Byler made a motion to give approval to all localities that submitted a request at the March 26 board meeting wishing to separate additional requirement requests to allow for allocation of one elective to history and social science course. The motion was not carried for a lack of a second.

A lengthy discussion was held on the draft guidance document, *APolicies RE Additional Credits, Allocation of Electives, Vocational Seals on Diplomas, and New Types of Diplomas Requested by Local School Divisions.*@

Mr. Schroder said that Joan Murphy, of the Attorney Generals Office, has informed him that the Board does not have legal authority to grant additional or separate diplomas to school divisions.

Mrs. Murphy said that under the APA, there is a provision for guidance documents and the document the Board is discussing fits the scheme for a guidance document. She said that the procedure Mr. Christie is going through is appropriate. She also said that within the guidance document there is a mechanism for approving credits for graduation and if the board, in consideration of the guidance document, determines that there is something in it that may need to go through the regulatory process or the board may, with legal counsel, determine that the changes in the local requirements have already been authorized through the *Standards of Accreditation* and do not have to go through the Administrative Process Act again.

Mrs. Tuttle wanted to know who on the Board of Education is thinking about the children in Virginia. She said that if it is a Virginia diploma, there should be a Virginia standard with no exceptions.

As the discussion continued on the draft guidance document, Mrs. Murphy stated that local school boards do not have to come before the Board of Education to allocate a subject that is truly an elective subject. Similarly, Mrs. Murphy said that if the local school boards are not adding credit requirements and are not taking a specific course and making it a mandatory course, the local board would not have to seek permission from the Board of Education.

Mr. Schroder said the draft guidance document would be brought before the board again at the May meeting by the subcommittee.

Discussion of Legislative Issues

This item was presented by Diane Atkinson.

The Superintendent's recommendation is to authorize the Department to develop and present to the Board a work plan for identifying the range of waivers of Board of Education regulations. The Board will have to contemplate these waivers as a result of the new charter schools legislation.

EXECUTIVE SESSION

Senator Bell made a motion to go into executive session under *Virginia Code* ' 2.1-244.A1 to discuss personnel matters concerning individual officers and employees, and the discipline and/or licensure of individual teachers. The motion was seconded by Mr. Christie and carried unanimously. The Board went into executive session at 5:45 p.m.

Senator Bell made a motion that the Board reconvene in open session. The motion was seconded by Senator Russell and carried unanimously. The Board reconvened at 6:45 p.m.

Senator Bell made a motion that the Board certify by roll call that to the best of each member's knowledge (1) only public business lawfully exempted from open meeting requirements by Virginia law were discussed in the executive session to which this certification motion applies, and (2) only such public business matters were identified in the motion convening the executive session were heard, discussed or considered by the Board.

Board Roll Call:

Mr. Schroder - Aye
Senator Bell - Aye
Mrs. Byler - Aye
Mr. Christie - Aye
Mrs. James Aye

Mrs. Noble - Aye
Mr. Patterson - Aye
Senator Russell - Aye

Mrs. Tuttle was not available to vote.

Senator Bell made a motion that the Board of Education support the recommendation to revoke the teaching license in case #1. The motion was seconded by Senator Russell and carried unanimously.

Senator Bell made a motion that the Board of Education in Case #2 permit the applicant to apply for an initial teaching license upon completion of a university's teacher

education program. The motion was seconded by Senator Russell and carried unanimously.

The Board recessed the meeting until 9:00 a.m. Thursday morning.

COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA

April 23, 1998

Planning Retreat

MINUTES

The Board of Education reconvened at 9:15 a.m. in the Loudoun Room at the Holiday Inn/Historic Carradoc Hall in Leesburg, Virginia, on Thursday, April 23, 1998, with the following members present:

Mr. Kirk Schroder, President
Senator J. Brandon Bell, Vice President
Mrs. Jennifer C. Byler
Mr. Mark C. Christie
Mrs. Kay Coles James

Mrs. Susan Noble
Mr. Robert H. Patterson, Jr.
Senator John W. Russell
Mrs. Lil Tuttle

and

Mr. Paul D. Stapleton, Secretary
Superintendent of Public Instruction

Mr. Schroder, president, presided and called the meeting to order.

DISCUSSION OF ISSUES ORIGINATING FROM THE STANDARDS OF ACCREDITATION

Dr. Thomas Shortt stated that the Board would need to look at the following issues over the next year due to new requirements under the *Standards of Accreditation*.

Procedures for Approving Alternative Plans for Meeting School-Year and School -Day Requirements

This item concerns the procedures the Board will use when local school divisions propose alternate plans for meeting the school-year and school-day requirements outlined in the Standards of Accreditation.

The recommendation is that, Aonce developed and implemented by the Board, the request for waiver process would include submission of much of the information that the Board may need to consider alternative plans for meeting the school year and school day requirements.@ Dr. Shortt said this issue should be addressed by the October 1999 school-year.

Mrs. Tuttle said the question that will come to the Board is, under what conditions will it be advisable to allow a school division to reduce the number of instructional hours for English, math, science, and history because they are the only disciplines involved. Mrs. Tuttle also said that according to the *Standards of Accreditation*, the local schools do not have to come before the Board of Education to reduce the number of clock hours in non-core discipline areas because this is a decision made by local school boards. The Board of Education has no involvement in non-core academic areas.

Mr. Stapleton said Mrs. Tuttle was correct and the staff will go back to review this issue and present as an agenda item to the Board at another meeting.

Procedures for Approving Experimental and Innovative Programs

Section 8 VAC-20-131-290 D of the *Standards of Accreditation* state that Awith approval of the local school board, local schools seeking to implement experimental and/or innovative programs that are not consistent with accreditation standards or other regulations promulgated by the Board shall submit a waiver request, on forms provided, to the Board of Education for evaluation and approval prior to implementation@.

The recommendation is that Department staff develop a form to be used by local divisions in making experimental/innovative program waiver requests. (Based upon the specific provisions in the SOA.)

Mrs. Tuttle said that experimental and innovative could be described as follows: if a school division wants to try something that in some way necessitates a waiver of any regulation then at that point it would become experimental.

Mr. Stapleton said the staff will bring before the Board a draft document that will define experiment and innovative. The staff will also provide an evaluation procedure to be used whenever a new document is reviewed listing everything the staff is attempting to do with the document.

Mrs. James made the following suggestion: On Page 2, line three of the sample form, *Application for Approval of an Experimental or Innovative Program*, request schools to list why a particular waiver is needed in order to tie it back to something specific in the program.

Issues from the Accreditation Standards

Many school divisions have adopted local requirements for graduation that exceed

those prescribed by the *Regulations Establishing Standards for Accrediting Public Schools in Virginia (SOA)*. The Board included a provision that would allow requirements adopted prior to June 30, 1997 to remain in effect until June 30, 1999. Local school boards will need to know what additional requirements can be approved in the future and what will happen to those that had been established prior to, and since, the effective date of the new standards.

The recommendation is to survey all school divisions to determine how many currently have local requirements for graduation that exceed those prescribed by the SOA. The data on the number of students graduating under these increased requirements are to be used to establish a baseline of what schools currently have in place and make judgements in 1999 about how or if these additional requirements are affecting the academic performance of students and/or the number of diplomas awarded. Allow school divisions that have policies in place and approved by June 30, 1999, to be grandfathered and continue to allow them to keep their programs unless they are adversely affecting student academic performance. Academic performance can be determined by performance on the SOL assessments and the accreditation process.

Dr. Oliver Mc Bride, Superintendent of Carroll County Public Schools, gave an overview of what Carroll County is doing regarding additional credits for graduation. Beginning with the 1995-96 school year and every year after that, Carroll County has developed a Program of Studies Guide that outlines the expectations in the vocational and academic courses required for graduation. The 1997-98 Program of Studies Guide also includes course descriptions.

Joan Murphy, of the Attorney General's Office, suggested the following to improve the draft guidance document before public comment: (1) include an introductory section stating that this is a guidance document and exactly what that means, (2) so that school divisions will know where the Board stands on the allocation of electives, provide examples on instances where a division has to come before the State Board and those instances when a division does not have to come before the State Board, and (3) beginning next week, have the documents available to go out to school divisions and the public for comment and set a time line for when the Board want comments received before the next Board meeting.

All written comments from Board members on the draft guidance document should be directed to Dr. James Laws by May 15.

The Individual School Accreditation Plan

The *Regulations Establishing Standards for Accrediting Public Schools in Virginia (SOA)* provide for Individual School Accreditation Plans under Part VIII, section 8 VAC 20-131-280, as follows:

- R ASchools with large numbers of transient students and/or non-English speaking immigrant students may receive additional accommodations according to tolerances established by the Board of Education. Such schools shall be evaluated according to the Individual School Accreditation Plan approved by the Board.@

The issues to be determined by the Board of Education in defining the parameters of the Individual School Accreditation Plan (ISAP) include:

- R the definitions, measurement, and eligibility criteria for designation of a school as having Alarge numbers of transient students and/or non-English-speaking immigrant students;@
- R the specification of Aadditional accommodations@ and Atolerances@to be granted by the Board of Education;
- R the components of the ISAP;
- R the application, review, and award cycle for ISAP approval;
- R the delegation of authority and responsibilities from the Board of Education to the Superintendent of Public Instruction and the Department of Education for ISAP review, approval, and monitoring.

It is recommended that the Department of Education staff provide a briefing document to the Board of Education to address the selection of specific definitions, measurements, and eligibility criteria for separate school accreditation under recent immigrant and transient student status, and recommendations for the accommodations to be granted. The briefing paper can provide the basis for discussion and comparisons of alternative approaches, including resources required for implementation. It is also recommended that the Department of Education staff develop a set of recommendations for the components of the Individual Accreditation Plan, for review, discussion, amendment and adoption by the Board of Education.

The Board requested Mr. Stapleton to put a committee together and begin the work plan. Board members may give suggestions for the committee to Mr. Stapleton.

Procedures for Documenting Compliance with Pre-Accreditation Eligibility Requirements

Section 8-VAC-20-131-290 B in the Standards of Accreditation specifies that Pre-Accreditation Eligibility reports shall be prescribed by the Board of Education, as follows:

ATo be eligible for accreditation, the principal and superintendent shall certify to the Department of Education the extent to which each school meets standards reported as met in the previous year described in 8 VAC 20-131-280 D and shall submit information on actions taken to correct any warnings or advisements cited in the previous year. The principal of each school shall submit, as required, pre-accreditation eligibility reports in a manner prescribed by the Board, through the division superintendent, to the Department of Education. Failure to submit the reports on time will constitute grounds for denying accreditation to the school.@

Questions concerning this and related provisions include: What are the Pre-Accreditation Eligibility requirements? What do these requirements include? How will compliance with these requirements be documented? What weight will these requirements have vis-a-vis the student performance requirements (e.g., the 70% pass rate)? What tolerances will be permitted by the Board concerning the Pre-Accreditation requirements?

The recommendation is that the Board of Education would use the process school divisions currently use to report compliance with SOA and other requirements requiring certification from principals and local school superintendents. The process is a self-reporting procedure in which the local officials certify compliance with the appropriate requirements in a check sheet format. The certification form is considered a legal document and is signed by the principal and the local superintendent. For the purposes of the Pre-Accreditation Eligibility Certification, the current SOA certification form will be modified by Department of Education staff to reflect each requirement contained in 8 VAC 20-131-280.D. Following receipt of the certifications from divisions, a report will be prepared for the Board by the Department of Education staff.

The Board agreed to continue using this procedure.

Procedures for Approving Requests for Waivers to Certain SOA Requirements

Waivers of some of the requirements of the SOA regulations may be granted by the

Board based on submission of a request from the division superintendent and chairman of the local school board. The request shall include documentation of the need for a waiver.

Questions raised by this provision include the following: What criteria will be used by the Board in considering request for waivers? In what form is the request to be submitted and to whom? For what time period will the waiver be effective? What information will the Board need from the requesting division? What evaluation data/reports, if any, will the Board request from divisions receiving waivers?

The recommendation is for the Department of Education staff to develop a prototype request form. The prototype form would contain items required by the SOA provision and any additional information specified by the Board of Education. Once the process is approved by the Board, information will be sent to local superintendents for their use in requesting the waiver from the appropriate provisions of the SOA.

The Board agreed to have a process in place by the fall of this year (1998) for school divisions who may request waivers.

School Performance Report Card

The Board of Education recommended the following minor adjustments made to the sample Report Card adopted at the January Board meeting. (See Appendices A, B, and C for copies of the report cards).

To All Report Cards

\$ Add year under AMeets Criteria@ in the section on Overall School Achievement

\$ Change ASpecial Education@ to AStudents with Disabilities@ for all references

\$ Add year under ASchool@ and AState@ in the section on Professional Training Index

\$ Strike the section on the ASafety Index@ for state percent (pending approval of later recommendation regarding calculations in this section)

Elementary Report Card Only

\$ Change the heading on the ACloser Look@ section to read ASubject Areas

& Reporting Categories@

Middle School Report Card Only

- \$ Adjust the format on the ACloser Look@ section to accommodate the provision of the overall scale score for the subject areas as well as the reporting categories.
- \$ Change the heading on the AClose Look@section to read ASubject Areas & Reporting Categories@and to include the year with the AState@section rather than as a footnote.

High School Report Card Only

- \$ Use AEnd-of-Course Tests@rather than AGrade 11" in the AOverall School Achievement@section.
- \$ Change AGED@to General Education Development (GED)@in the ACloser Look@section.
- \$ Change AAdvanced Placement@ to AAdvanced Placement (AP)@ in the AAdvanced Academic Programs@section.
- \$ Change AInternational Baccalaureate@to AInternational Baccalaureate (IB)@ in the AAdvanced Academic Programs@section.
- \$ Use AEnd-of-Course Tests@ rather than AGrade 11" in the ADivision/State Data Summary@section.

Data for the Safety Index

Mrs. Tuttle requested a copy of *Criminal Acts Within Schools* be distributed to all Board members.

Mr. Christie suggested that for explanatory reasons, to put beneath the attendance and safety index boxes Apercent is percent of total statewide@.

Timing of the Distribution of the School Performance Report Card

Mr. Schroder requested Mr. Stapleton to lay out a proposal for Board members to evaluate the pros and cons by the next Board meeting.

Process for Distribution of the School Performance Report Card

The plan is to have multiple copies of the Report Card printed and shipped to school divisions. Postage funding will be provided to each school division for mailing the Report Card home to parents.

Status of the Outcome Accountability Project (OAP) Reports

The Board agreed that OAP be eliminated with the implementation of the School Performance Report Card.

Contents of the AUnabridged@ School Performance Report Card

The Board agreed to include the following information on the AUnabridged@version of the School Performance Report Card: (1) Participation rate of students with disabilities in SOL testing, (2) Participation rate of limited English proficient students in SOL testing, (3) Participation of students with disabilities in alternate assessments (upon implementation, beginning with 2000-01 school year), and (4) Performance of students with disabilities in alternate assessments (upon implementation, beginning with the 2000-01 school year). Mrs. Tuttle also suggested that this information be available on the Department of Education's website.

What Constitutes a School for the Purposes of Accreditation?

The Board agreed that only educational entities in which students are enrolled at the time of Fall Membership continue to be the deciding factor in the designation of Aschool.®

The Board of Education and Department of Education recognize various categories of educational entities. For the purposes of accreditation, the Board must decide which elements are necessary in order for an education entity to meet the definition of a Aschool.®

Mrs. Tuttle requested that a copy of Appalachia Education Laboratory Policy Brief on Schools for Disruptive Students: A Questionable Alternative, be sent to all Board members.

DISCUSSION OF ISSUES INVOLVING TESTING AND ASSESSMENT

Alternate Assessments as Required Under Individuals with Disabilities Act (IDEA)

The Individuals with Disabilities Education Act of 1997 requires:

- \$ That children with disabilities be included in general state and school division assessment programs with appropriate accommodations, where necessary.
- \$ That guidelines be developed for participation of children with disabilities in alternate assessments for those children who cannot participate in state or school division assessment programs.
- \$ That these alternate assessments be developed and begin conducting them no later than July 1, 2000.
- \$ The purpose of the alternate assessments is to provide the same level of program accountability for these students as is afforded those participating in the SOL program.

Considerations:

- \$ Alternate assessment will be limited to those students for whom participation in the SOL testing program is not appropriate.
- \$ It will be necessary to develop the expectations for these students upon which to base the assessments. This will be the first step in the development process.
- \$ It is likely that the expectations and thus the assessments for these students will be very unique and varied.
- \$ A broad-based group of representatives of those persons working with or familiar with this population of students should be highly involved in the development and implementation of the alternate assessments.

- \$ Once program planning is further advanced, more discussion will be needed to determine the exact way in which the information from the alternate assessments will be incorporated into the accreditation process as specified in the current language.

The Board received the report.

Standard Setting for SOL Tests

During the summer of 1998, Standard Setting Committees will be convened for the purpose of reviewing the SOL tests and the spring 1998 results and preparing a recommendation to the Board of Education regarding the Acut scores@for each SOL test.

The Board gave approval for Mr. Stapleton and Department staff to put procedures in place to recommend nominations for the Standard Setting Committees and also gave the President the ability to consult with the Superintendent. Mr. Schroder and Mr. Stapleton will report back to Board members at the May meeting.

Mrs. Tuttle requested a list of people who have been involved with the standard setting for the international comparison of NAEP.

EXECUTIVE SESSION

Senator Bell made a motion to go into executive session to discuss and consider tests and examinations, which discussion is appropriate in executive session under *Virginia Code* ' 2.1-344.A.11. The motion was seconded by Mr. Christie and carried unanimously. The Board went into executive session at 5:25 p.m.

Senator Bell made a motion that the Board reconvene in open session. The motion was seconded by Mrs. Tuttle and carried unanimously. The Board reconvened at 6:35 p.m.

Senator Bell made a motion that the Board certify by roll call that to the best of each member-s knowledge (1) only public business lawfully exempted from open meeting requirements by Virginia law were discussed in the executive session to which this certification motion applies, and (2) only such public business matters were identified in the motion convening the executive session were heard, discussed or considered by the Board.

Board Roll Call:

Mr. Schroder - Aye
Senator Bell - Aye
Mrs. Byler - Aye
Mr. Christie - Aye

Mrs. James - Aye
Mrs. Noble - Aye
Senator Russell - Aye
Mrs. Tuttle - Aye

Mr. Patterson was not available to vote.

REVIEW OF THE STEPS AND TIMELINES FOR PROMULGATING REGULATIONS THROUGH THE ADMINISTRATIVE PROCESS ACT (APA)

Dr. James Laws presented the Board with an overview of the process for promulgating or amending regulations. The Administrative Process Act, Governors= Executive Orders, and the *Code of Virginia* determine the steps involved in promulgating and amending the Regulations of the Board of Education. A review of the APA process provides information about the length of time and requirements needed before a new or amended regulation becomes effective was discussed. Dr. Laws informed the Board that the entire process is approximately eight to twelve months.

DISCUSSION OF ISSUES INVOLVING COMPLIANCE AND LICENSURE

Professional Studies and the Eighteen-Hour Cap for Approved Teacher Education Programs

The Board of Education approved an eighteen-hour limit on professional studies in 1987. Since then, (1) The State Council of Higher Education (SCHEV) recommended that state institutions maintain undergraduate degrees at 120 semester hours of credit. (2) The 1997 General Assembly required that teacher education programs shall include instruction in attention deficit disorder by 2000. (3) The newly-approved *Licensure Regulations for School Personnel* require that elementary, middle, and special education prospective teachers must acquire knowledge and skills to impart an understanding of the complex nature of language acquisition and reading including phonemic awareness, sounds and symbol relations, explicit phonics instruction, and a knowledge of how phonics, syntax, and semantics interact. (4) The Board of Education approved *Technology Standards for Instructional Personnel* requiring that prospective instructional personnel demonstrate proficiency in technology.

Providing course work and experiences to meet the requirements of these additional components within the 18-hour cap is problematic for institutions of higher education. This is especially challenging in programs preparing teachers for endorsements in special education, elementary, and middle grades education at the undergraduate level.

The Board discussed the current 18-hour cap on professional studies and decided to continue the discussion at the Board's May meeting.

Professional Teacher's Assessment for Initial Licensure

This item was removed from the agenda.

DISCUSSION OF ISSUES INVOLVING CURRICULUM AND INSTRUCTION

Remedial Program Standards

The 1997 General Assembly, through Section 22.1-199.2 and 22.1-254.01 required the Board of Education to establish standards for remedial summer school, effective July 1, 1998. The Department of Education has begun work on developing summer school standards. Dr. Jim Heywood shared the department's progress in this area. Given the possible expansion of the charge to develop summer school standards to a charge of developing standards for all state-funded remedial programs, Dr. Heywood provided the Board with a list of possible issues that might be addressed through the development of such expanded standards.

The Department staff will set up focus groups and will bring this issue before the Board again in the fall or early winter.

Revision of the Board of Education's Special Education Regulations

At the February 26, 1998 meeting of the Board of Education, it authorized the Department to begin the APA process for revising the Regulations Governing Special Education Programs for Children with Disabilities in Virginia and Special Education Program Standards. Mr. Doug Cox presented the Board with an overview of special education programs proposed activities and timelines for the revision of the regulations.

The Board approved the proposed Guiding Principles for Revision of Regulations Governing Special Education Programs for Students with Disabilities in Virginia and Special Education Program Standards. They are: (1) Continuation of parent rights and responsibilities, (2) Fiscal responsibility, (3) Adherence closely to federal language, and (4) Clarification of areas of ambiguity.

DISCUSSION OF TECHNOLOGY ISSUES

Mr. Lan Neugent provided the Board with an overview of technology issues facing the Board of Education and Department of Education. The Board received his presentation on the following issues:

Year 2000 Computer Issues

The Management Information Systems office has developed and is progressing on a plan to address Year 2000 Date Change problems that may affect technology in the Department of Education.

Availability and Usage of Educational Technology

The Department of Education has been commissioned by the General Assembly to provide a study on Educational Technology. The Department anticipates receiving \$375,000 to conduct an analysis of the status of educational technology availability and usage in each school in the Commonwealth.

Proposed Study on the Need for Administrative Software for Divisions

The Department of Education anticipates receiving \$330,000 to conduct an information needs assessment study focusing on administrative technology requirements at the Department and school divisions levels. This study will determine present and future data needs at the department and divisional level and make recommendations concerning the type and acquisition of a software system that will best address those needs.

Educational Technology Cost and Funding

Funding for educational technology has been based upon targeted initiatives. Much of the money for these initiatives has been generated by bond sales. These have been established to be repaid over five succeeding years. The need for funds for hardware, software, infrastructure, training and technical personnel are expected to continue and will most likely increase. This infusion of technology into schools has created the need for a steady stream of funding. Divisions are also limited to a narrow range of uses by the current process. Future anticipated needs include: infrastructure updates, computer replacement and upgrade, training in applications of technology to instruction, technical personnel for installation and management of LANs and WANs, instructional technology specialists in schools and upgraded administrative software systems.

Internet Security

Increased use of the Internet by teachers and students has caused concern about exposure to sexually explicit or other inappropriate materials. Several General Assembly members have proposed legislation restricting access to this resource. Federal legislation that attempted to restrict access was ruled unconstitutional. Congress is considering granting Universal Service funds to schools and libraries only if they have an installed filtering system. Department efforts have centered around encouraging divisions to develop Acceptable Use Policies, presenting model policies and providing technical assistance.

DISCUSSION OF STATE OPERATED PROGRAMS INCLUDING VIRGINIA SCHOOLS FOR THE DEAF AND BLIND

The *Code of Virginia* outlines specific responsibilities of the Board of Education regarding state operated programs. Ms. Nancy Haynes and Mr. Bob Whytal lead the Board through a discussion regarding state operated programs including funding, program management, and compliance monitoring. The programs include five hospital programs, six mental health hospitals, one mental health clinic, twenty-one detention homes, one rehabilitation center, thirteen child development clinics, two child specialty services clinics, and two schools for the deaf and the blind.

The Board received the presentation.

ISSUES OF CONCERN AS RAISED BY BOARD MEMBERS

Mrs. Byler stated that she is looking into school bus safety and if other Board members are interested to let her know.

ADJOURNMENT

There being no further business, Mr. Schroder adjourned the meeting of the Virginia Board of Education and the Board of Vocational Education at 8:35 p.m.

President

Secretary of the Board